

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GUY McEACHIN,

Plaintiff,

vs

9:06-CV-1192

GLENN S. GOORD, Commissioner of DOCS;
DONALD SELSKY, Director of SHU; ROY A.
GIRDICH, Superintendent of Upstate Correctional
Facility; WHITE, Facility Nurse; SGT. SNYDER;
and B. POUPORE, Correction Officer,
Defendants.

APPEARANCES:

OF COUNSEL:

GUY McEACHIN
00-A-5257
Attica Correctional Facility
Box 149
Attica, NY 14011

HON. ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
The Capitol
Albany, New York 12224

RISA L. VIGLUCCI, ESQ.
ROGER W. KINSEY, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

ORDER

Plaintiff, Guy McEachin, brought this civil rights action pursuant to 42 U.S.C.

§ 1983. In a Report Recommendation dated February 8, 2008, the Honorable Randolph F. Treece, United States Magistrate Judge, recommended that defendants' motion to dismiss be granted and that plaintiff's complaint be dismissed as to defendants Goord, Selsky,

Girdich, and White. Objections to the Report Recommendation have been filed by the plaintiff.

Based upon a de novo review of the portions of the Report-Recommendation to which the plaintiff has objected, the Report-Recommendation is accepted and adopted. See 28 U.S.C. 636(b)(1).

Accordingly, it is

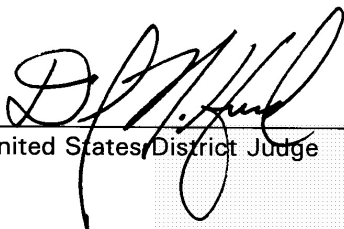
ORDERED that

1. Defendants' motion to dismiss is GRANTED;
2. Plaintiff's complaint is DISMISSED in all respects as to defendants Glenn S.

Goord, Donald Selsky, Roy A. Girdich, and White;

3. The Clerk is directed to enter judgment as to defendants Glenn S. Goord, Donald Selsky, Roy A. Girdich, and White.

IT IS SO ORDERED.


United States District Judge

Dated: April 17, 2008
Utica, New York.